

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Shaike SCHATZBERGER

Serial No.:

10/517,768

Filed:

December 27, 2004

For:

METHOD AND APPARATUS FOR POSITIONING A

SURGICAL INSTRUMENT

Examiner: unknown

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Group Art Unit: 3731

Attorney

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Docket: 29097

## INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a PTO Form 1449 which lists citations which may be material to the patentability and examination of the above identified application. Also enclosed are copies of the references cited. These are submitted in compliance with the duty of disclosure defined in 37 CFR 1.56. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement under 37 CFR 1.56 is not to be construed as a representation that a search has been made, that additional matter which is material to the examination of this application does not exist, or that any or more of these citations constitutes prior art.

Respectfully submitted,

Martin Moynihan

Registration No. 40,338

Dated: November 1, 2005

NOV 0 9 2005

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)					Complete if Known			
					Application Number 10/517,768		7,768	
					Filing Date	December 27, 2004		
					First Named Inventor	Shaike SCHATZBERGER		
					Art Unit	3731		
					Examiner Name	unknown		
Sheet		1	of	1	Attorney Docket Number	2909	7	
			U.S.	PATENT	DOCUMENTS			
Examiner Cite Initials* No.		Document Number	Publication Date MM-DD-YYYY		Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number-Kind Code <sup>2 (if known)</sup>						
	1	US-5,992,419	11-30-1999		Sterzer et al.			
	2	US-5,540,655	07-30-1996		Edwards et al.			
	3_	US-5,480,417	02-2-1996 01-25-2000		Hascoet et al.			
	4	US-6,017,361			Mikus et al.			
	5	US-5,370,675	06-6-1994		Edwards et al.			
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FOREIGN PATENT DOCUMENTS										
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Documents  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>				
Examiner Signature				Date Considered		•				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. this collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450